

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
No. 5:21-cv-22-DSC

WESLEY ALLEN NELSON, )  
                          )  
                          )  
                          )  
                          )  
Plaintiff,            )  
                          )  
                          )  
v.                    )  
                          )  
                          )  
KILOLO KIJAKAZI,      )  
                          )  
                          )                            ORDER OF REMAND  
                          )  
                          )  
                          )  
Acting Commissioner of )  
Social Security        )  
                          )  
                          )  
Defendant.            )  
                          )  
                          )  
                          )

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**THIS MATTER** is before the Court on Plaintiff's Complaint and Defendant's Motion for Remand to the Commissioner for further administrative proceedings. The Commissioner wishes to conduct further fact finding, including holding a new administrative hearing.

Plaintiff's counsel consents to the Government's Motion for Remand.

The Court finds good cause has been alleged for remand and that further administrative fact finding is warranted. Accordingly, the Court hereby reverses the Commissioner's decision

under sentence four of 42 U.S.C. § 405(g) and remands the case to the Commissioner for further proceedings, including a new hearing.

*See Shalala v. Schaefer*, 509 U.S. 292 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

The Clerk of Court is directed to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

**SO ORDERED.**

Signed: October 19, 2021

  
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David S. Cayer  
United States Magistrate Judge

